

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Examiner Jila M. Mohandesi in Group Art Unit 3728 at Fax No. 703-746-4248 on April 17, 2003.

Joy A. Roeder  
Joy A. Roeder

Patent

Attorney's Docket No. 033768-002

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Rainer K. Schmid	)	Group Art Unit: 3728
	)	
Application No.: 09/827,933	)	Examiner: Mohandesi, Jila M.
	)	
Filed: April 9, 2001	)	Confirmation No.: 6673
	)	
For: ENERGY RETURN SOLE FOR	)	
FOOTWEAR	)	

**REQUEST FOR APPROVAL OF DRAWING CHANGES**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

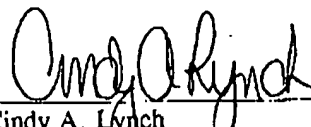
The Examiner's approval is respectfully requested for the proposed addition of FIG. 10, a copy of which is enclosed.

Upon approval of this Request, the changes will be implemented by the submission of corrected drawings.

Respectfully submitted,

BURNS, DOANE, SWECKER &amp; MATHIS, L.L.P.

By:

  
Cindy A. Lynch  
Registration No. 38,699

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

Date: April 16, 2003

(10/02)

**BURNS DOANE**BURNS DOANE SWECKER & MATHIS LLP  
ATTORNEYS AT LAWALEXANDRIA, VIRGINIA  
REDWOOD SHORES, CALIFORNIA  
DURHAM, NORTH CAROLINAREPLY TO:  
Suite 700  
Twin Dolphin Drive  
Redwood Shores, California 94065-1418

TELEPHONE: +1.650.622.2300

FACSIMILE: +1.650.622.2499

DATE: April 17, 2003

RECIPIENT INFORMATION	SENDER INFORMATION
To: Examiner Jila M. Mohandesi	From: Cindy A. Lynch
Voice Tel. No.:	Voice Tel. No.: 650.622.2300
Fax Tel. No.: 703.746.4248	Sent By: Joy A. Roeder
Your Ref.: USSN 09/827,933	Our Ref.: 033768-002
	Total Pages (Incl. Cover Page): 16

RE: USSN 09/827,933

## MESSAGE:

**NOTE:** The information contained in this facsimile message is attorney-client privileged and contains confidential information intended only for the use of the person(s) named above and others expressly authorized to receive it. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this message is prohibited and you are asked to notify us immediately by telephone and to return this message to us by mail without copying it.

Any questions regarding compatibility should be directed to our Office Services Department at +1.703.836.6620.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office to Examiner Jila M. Mohandesi in Group Art Unit 3728 at Fax No. 703-746-4248 on April 17, 2003.

Joy A. Roeder  
Joy A. Roeder

Patent

Attorney's Docket No. 033768-002**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	BOX: AMENDMENT/RCE
	)	
Rainer K. Schmid	)	Group Art Unit: 3728
	)	
Application No.: 09/827,933	)	Examiner: Mohandesi, Jila M.
	)	
Filed: April 9, 2001	)	Confirmation No.: 6673
	)	
For: ENERGY RETURN SOLE FOR	)	
FOOTWEAR	)	

**AMENDMENT/REPLY TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.

☒ Also enclosed is/are Request for Approval of Drawing Changes

☐ Small entity status is hereby claimed.

☒ Applicant(s) request continued examination under 37 C.F.R. § 1.114 and enclose the ☒ \$375.00 (2801) ☐ \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) previously submitted \_\_, on \_\_, for which continued examination is requested.

☐ Applicant(s) request suspension of action by the Office until at least \_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.

☐ No additional claim fee is required.

(02/03)

Amendment/Reply Transmittal Letter  
Application No. 09/827,933  
Attorney's Docket No. 033768-002  
Page 2

☐ An additional claim fee is required, and is calculated as shown below:

AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADDITIONAL FEE
Total Claims		MINUS =		× \$18.00 (1202) =	
Independent Claims		MINUS =		× \$84.00 (1201) =	
If Amendment adds multiple dependent claims, add \$280.00 (1203)					
Total Amendment Fee					
If small entity status is claimed, subtract 50% of Total Amendment Fee					
TOTAL ADDITIONAL FEE DUE FOR THIS AMENDMENT					

☐ A claim fee in the amount of \$\_\_\_\_\_ is enclosed.

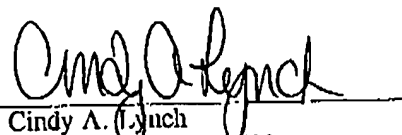
☒ Charge \$ 375.00 to Deposit Account No. 02-4800.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATTHEWS, L.L.P.

By: \_\_\_\_\_

  
Cindy A. Lynch  
Registration No. 38,699

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(650) 622-2300

Date: April 16, 2003

(02/03)